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C. S. 1001 —

SINGLE BENCH

IN THE HIGH COURT OF JUDICATUREATBILASPUR

WRIT PETITION NO. : 362 /2006

PETITIONER : **Smt. Gayatri Tiwari**
W/o Shri.Prakash Tiwari, Aged about 39 Years, By Occupation, Lecturer. Maharani Laxmibai Girls Hr, Sec. School, Distt. Bilaspur. (C.G.)

P.R. No. 3221/06
Presented by Shri B. L. Sahu
Dated 29/6/06

-: VERSUS: -

RESPONDENTS:

1. **State Of Chhattisgarh**, through Secretary, Department of School Education, Mantralaya D.K.S.Bhawan, Raipur.{C.G.}

2. **Director, of School Education** D.K. S Bhawan, Raipur. {C.G.}

3. **District Education Officer** District Bilaspur {C.G.}

4. **Principal**, Maharani Laxmibai Hr. Sec. School Bilaspur, District Bilaspur {C.G.}

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29/6/06

WRIT PETITION UNDER ARTICLE 226 /227 OF THE CONSTITUTION OF INDIA FOR THE ISSUANCE OF THE DIRECTION (S), OR ORDER (S).

(47)

HIGH COURT OF CHHATTISGARH AT BILASPUR

W. P No. 3161 of 2006

Petitioner : Smt. Saira Ruby Hanifee

Versus

Respondents : State of Chhattisgarh & others

And

W. P. No. 3162 of 2006

Petitioner : Smt. Gayatri Tiwari

Versus

Respondents : State of Chhattisgarh & others

Single Bench: Hon'ble Mr. Justice **Satish K. Agnihotri.**

Shri Prakash Tiwari, Advocate for the Petitioners.
Shri V.V.S. Moorthy, Dy. Advocate General with Smt. Anju Ahuja, Dy. Govt. Advocate for the respondents/State.

ORDER

(11th October, 2006)

1. Learned counsel appearing for the petitioners submits that while working as Lecturers, the petitioners have gone on training to improve their qualifications on their own expenses and acquired B.Ed./B.T.I Examination Certificate.

2. The present writ petitions, being W.P. Nos. 3161/2006 and 3162/2006 involve similar facts and common question of law. Thus, these petitions are being disposed of by this common order.

3. According to learned counsel for the petitioners, the petitioners are entitled to two advance increments in view of the decision of this Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal

Corporation, Durg and another {2006 (II) MPJR-CG 96}. This Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), came to the conclusion that the teachers, who had obtained B. Ed./B.T.I. Examination Certificate on his own expenses, are covered by the circular dated 24.12.98 issued by the State Government of Madhya Pradesh.

4. Learned counsel for the petitioners further submits that the facts and question of law involved in the present cases are squarely covered by decision of this Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), to which learned counsel appearing for the respondents fairly concedes and agrees with the averment made by learned counsel appearing for the petitioners.

5. Accordingly, the writ petitions are allowed in terms of the order passed in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), subject to verification of the fact as to whether the petitioners have acquired B. Ed./B.T.I. Examination Certificates on their own expenses or not. No order as to costs.

6. A copy of this order be placed on record of one connected writ petition.

Sd/-
Satish K. Agnihotri
Judge

Subhash